

DT07 Rec'd PCT/PTO 0 2 MAR 2005

#6

ATTORNEY DOCKET NO. 04150.0013U1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Frank FRANZEN)	Art Unit: unassigned
)	
Application No. 10/502,226)	Examiner: unassigned
)	
International Filing Date: February 6, 2003)	Confirmation No. 1514
)	
For: FOLATE ASSAY)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

February 28, 2005

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed February 9, 2005 in the above-referenced patent application, enclosed are:

1. a copy of the executed Declaration and Power of Attorney form;
2. a copy of the Notice to File Missing Parts.

The requirement to submit a copy of the "Sequence Listing" in computer readable form (CRF) as required by 37 CFR 1.82(e) and PCT Rule 13ter.1(a)(ii) as well as a paper copy is erroneous, in that the application does not contain a nucleotide and/or amino acid sequence disclosure nor there is mention in the application of a "sequence." Accordingly, the applicant is unable to comply with the requirement.


ATTORNEY DOCKET NO. 04150.0013U1
Application No. 10/502,226

Applicant's attorney hereby respectfully requests that the attorney docket number in the official record be corrected from 04150.00013U1 to 04150.0013U1.

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



Lawrence A. Villanueva
Registration No. 43,968

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


Lawrence A. Villanueva

2/28/05
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/502,226	Frank Frantzen	04150.00013U1

INTERNATIONAL APPLICATION NO.

PCT/GB03/00529

I.A. FILING DATE

02/06/2003

PRIORITY DATE

02/06/2002

23859

NEEDLE & ROSENBERG, P.C.
SUITE 1000
999 PEACHTREE STREET
ATLANTA, GA 30309-3915

RECEIVED

FEB 15 2005

NEEDLE & ROSENBERG

CONFIRMATION NO. 1514

371 FORMALITIES LETTER



OC000000015139259

Date Mailed: 02/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/21/2004
- Copy of the International Search Report filed on 07/21/2004
- Copy of IPE Report filed on 07/21/2004
- Copy of Annexes to the IPE filed on 07/21/2004
- Preliminary Amendments filed on 07/21/2004
- Information Disclosure Statements filed on 07/21/2004
- U.S. Basic National Fees filed on 07/21/2004
- Priority Documents filed on 07/21/2004

MAK/LAV/mic/ogr

DOCKETED	
By <u>LA</u>	Date <u>02/15/05</u>
Reviewed <u>LAV</u>	<u>02/24/05</u>
Name/Date	
Scanned	

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,226	PCT/GB03/00529	04150.00013U1